

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Captioned in Compliance with D.N.J. LBR 9004-1(b)

LAW OFFICES OF SKLAR SMITH-SKLAR

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CANDYCE I. SMITH-SKLAR, ESQ.

Attorney for Debtor

In Re:

Donald Johnson,

Debtor



Order Filed on April 24, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 23-11998 MBK

Hearing Date: 4/24/2024; 9:00am

Chief Judge: Michael B. Kaplan

Chapter 13

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: X Followed Modified

The relief set forth on the following pages numbered two (2) through three (3) is
ORDERED.

DATED: April 24, 2024

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".
Honorable Michael B. Kaplan
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 17 Cornwall Avenue, Trenton, NJ 08618, (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name: of professional: Candyce Smith-Sklar, Esq.	Kimberly Storcella, RE
Amount to be paid: \$1,100.00	5.5% Commission due Listing Agent/Buyer's Agent
Services rendered: Review contract, prepare Addendum to Contract of Sale Obtain payoffs, research Liens to determine if satisfied and all document preparation for closing	List Property, Secure Buyer Prepare documents, Close Title, title search

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 27,900.00 claimed as exempt may be paid to the Debtor.
6. The ☒ *balance of proceeds* or the *balance due on the debtor's Chapter 13 Plan* shall be paid to the Chapter 13 Standing Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Standing Trustee Seven (7) days after closing.
8. ☒ The debtor shall file a modified Chapter 13 Plan within 21 days of the date of this Order.
9. Other provisions:
 - a. Within 14 days of the date of the Order, Debtor shall file an amended schedule C with the Court;
 - b. The debtor's counsel be allowed a legal fee of \$800.00 for representation in connection with this motion and upon filing of a fee application:
 at closing X through the Plan outside the plan;
 - c. The debtor's real estate attorney, Candyce Smith-Sklar, will receive a fee of \$1,100 for representation of Debtor at closing; and
 - d. The mortgage held by Lakeview Loan Servicing, LLC shall be fully satisfied with the proceeds of the sale and the lien shall remain on the Property only until such time as a full payoff is received.